

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
NO. 5:09-CR-353-1-BO

UNITED STATES OF AMERICA,)
)
 v.)
)
EBONY MARIE JUDD.)
)

ORDER

This matter is before the Court on Defendant Ebony Marie Judd's Second Motion to Reduce Sentence. (DE # 60). For the foregoing reasons, Defendant's motion is denied.


DISCUSSION

On April 6, 2010, Defendant was sentenced to 81 months imprisonment after pleading guilty, pursuant to a written plea agreement, to one count of 18 U.S.C. §1951 (Hobbs Act Robbery) and one count of 18 U.S.C. §371 (conspiracy to commit bank robbery). Due to her cooperation in the case, the government moved for a sentencing reduction pursuant to U.S.S.G. §5K1.1. The Court granted the reduction, and imposed a total sentence of 81 months.

On October 8, 2010, the Court denied the Defendant's First Motion for a Sentence Reduction. On March 31, 2011, the Defendant filed a second *pro se* Motion to Reduce her Sentence. The Defendant's letter describes what she has learned and accomplished during her imprisonment, as well as expresses vast regret for her crimes. While the letter references "the safety valve" as a basis for a sentence reduction, the safety valve only applies to sentences for certain drug related convictions, and is thus inapplicable to Defendant. USSG, § 5C1.2. As Defendant's motion does not provide any legal basis for a reduction in her sentence, the Court is without power to grant the relief she requests.

SO ORDERED.

This the 30 day of April, 2011.

A handwritten signature in black ink, reading "Terrence W. Boyle". The signature is written in a cursive style with a horizontal line underneath the name.

TERRENCE W. BOYLE

UNITED STATES DISTRICT JUDGE